Amendments to the Claims:

Please amend claims 90, 91, 95, 96, 98, 108, 114 and 119, and cancel claim 106, all as shown below.

All pending claims are reproduced below, including those that remain unchanged.

1-89. (Previously Cancelled)

90. (Currently Amended): An improved method for stabilizing a spinous process relative to another

spinous process, said method being of the type wherein a device is implanted between said spinous process

and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a flaccid flexible implant

which self-conforms upon implantation to the shape of at least one of said spinous process and said another

spinous process;

wherein said flaccid flexible implant defines a minimum space between said spinous process and said

another spinous process at a maximum extension of a spine.

91. (Currently Amended): An improved method for stabilizing a spinous process relative to another

spinous process, said method being of the type wherein a device is implanted between said spinous process

and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a flaccid flexible implant

which is self-conformable in situ to the shape of at least one of said spinous process and said another spinous

process;

wherein said flaccid flexible implant defines a minimum space between said spinous process and said

another spinous process at a maximum extension of a spine.

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92. (Previously Cancelled)

93. (Previously Amended): An improved method for stabilizing a spinous process relative to another

spinous process, said method being of the type wherein a device is implanted between said spinous process

and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device having a sealable

cavity which is fillable with a material.

94. (Previously Amended): An improved method for stabilizing a spinous process relative to another

spinous process, said method being of the type wherein a device is implanted between said spinous process

and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device which has

flexible walls defining a sealable cavity capable of being filled with a material.

95. (Currently Amended): An improved method for stabilizing a spinous process relative to another

spinous process, said method being of the type wherein a device is implanted between said spinous process

and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device having flexible

walls and without rigid walls;

wherein the device is adapted to absorb shock.

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96. (Currently Amended): An improved method for stabilizing a spinous process relative to another

spinous process, said method being of the type wherein a device is implanted between said spinous process

and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device having flexible

walls and without rigid walls;

wherein the device is adapted to absorb shock such that motion of at least one of said spinous process

and said another spinous process is dampened.

97. (Previously Cancelled)

98. (Currently Amended): An improved method for stabilizing a spinous process relative to another

spinous process, said method being of the type wherein a device is implanted between said spinous process

and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device which is

comprised of a shape memory material;

which device can change shape according to the temperature of the device.

99. (Previously Amended): An improved method for stabilizing a spinous process relative to another

spinous process, said method being of the type wherein a device is implanted between said spinous process

and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device which is

comprised of a shape memory material;

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said device having an introduction shape and a final implanted shape and wherein said device is in

the introduction shape at the beginning of the introducing step and then allowed to assume the implanted shape

relative to at least one of said spinous process and said another spinous process.

100. (Previously Amended): An improved method for stabilizing a spinous process relative to another

spinous process, said method being of the type wherein a device is implanted between said spinous process

and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device which is

comprised of a shape memory material;

wherein said shape memory material changes shape according to temperature.

101. (Previously Amended): A method for relieving pain associated with the spine comprising the steps

of:

introducing a device between a spinous process and another spinous process, which device includes

a flexible wall which defines a sealable cavity;

filling the cavity with a material; and

sealing the cavity.

102. (Previously Amended): A method of relieving pain associated with the spine comprising the steps

of:

introducing a device relative to a spinous process and another spinous process, wherein said device

has a first configuration and a second configuration, and the introducing step includes introducing the device

in the first configuration; and

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allowing the device to reconfigure to the second configuration, thereby distracting the spinous process and the another spinous process.

103. (Original): The method of claim 102 including:

said allowing step allows the device to reconfigure about one of the spinous process and the another spinous process.

104. (Previously Amended): A method of relieving pain associated with the spine comprising the steps

of:

introducing a device relative to a spinous process and another spinous process, wherein said device has a first configuration and a second configuration, and the introducing step includes introducing the device in the first configuration; and

allowing the device to reconfigure to the second configuration between the spinous process and the another spinous process.

105. (Original): The method of claim 102 including:

using an introduction tool in order to introduce the device relative to the spinous process and the another spinous process in the first configuration; and

removing the introduction tool in order to allow the device to reconfigure to the second configuration.

106. (Cancel)

107. (Original): The method of claim 102 wherein:

prior to said introducing step is the step of causing the device to come to a first temperature associated with the first configuration; and

said allowing step allows the device to come to a second temperature when placed relative to the spinous process and the another spinous process in order that the device reconfigures to the second configuration.

108. (Currently Amended): A method for relieving pain associated with the spine comprising the steps of:

introducing a device <u>between adjacent</u> relative to a spinous <u>processes</u>, process and another spinous process which device is able to dampen relative motion between the spinous <u>processes</u> process and the <u>another spinous process</u>; and

not connecting the device to either of the <u>adjacent</u> spinous <u>processes</u> process or the another spinous <u>process</u>.

112-113. (Previously Cancelled)

114. (Currently Amended): An improved method for stabilizing a spinous process relative to another spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process an implant;

wherein said implant is manipulated into a first shape at the beginning of the introducing step and then allowed to assume a second shape relative to at least one of said spinous process and said another spinous process as the temperature of the implant changes.

An improved method for stabilizing a spinous process relative to another 115. (Previously Added): spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process an implant having a first shape;

wherein said implant assumes a second shape when a threshold temperature is reached.

- The improved method of claim 115, wherein the threshold temperature is a 116. (Previously Added): body temperature.
- A method of relieving pain associated with a spine comprising: (Previously Added): 117. manipulating an implant having a first shape such that the implant assumes a second shape; inserting the implant between a first spinous process and a second spinous process; releasing the implant so that the implant returns to a first shape, thereby distracting the spinous process and the another spinous process.
- A method of relieving pain associated with a spine comprising: 118. (Previously Added): inserting an implant having a first configuration between a first spinous process and a second spinous process; and

allowing the implant to reconfigure to a second configuration, thereby distracting the spinous process and the another spinous process.

119. (Currently Amended): A method of relieving pain associated with a spine comprising:

introducing between a first spinous process and a second spinous process a flaceid flexible implant adapted to self-conform upon implantation to the shape of at least one of the first spinous process and the second spinous process;

wherein the <u>flaceid flexible</u> implant defines a minimum space between the first spinous process and the second spinous process at a maximum extension of a spine.



No fee is required with this communication.

Respectfully submitted,

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